

C O P Y

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September 8, 1943

SECRET

OGC Has Reviewed

Mr. Charles J. Benner
U. S. Civil Service Commission
Retirement Division
Washington, D. C.

Dear Mr. Benner:

With reference to our conference with you on retirement, you suggested that the Office of Strategic Services ask the Civil Service Commission for a formal policy statement relative to certain types of exempt appointments.

This Agency has been given funds under the provisions of the National War Agencies Appropriation Act, 1944 (Public Law 139, 78th Congress, July 12, 1943) to appoint personnel without regard to laws and regulations.

In the employment of personnel, an exempt appointment will be issued to these employees without regard to the Civil Service Act and not subject to retirement. Three copies of the Letter of Appointment will be prepared on each new appointment, change in status, separation, leave without pay, etc.; one copy for the Employee, one for our Special Funds Office, and one for the Director of Personnel. All necessary records on these employees will be classified as "Secret", and will be held in the immediate office of the Director of Personnel.

When an employee with previous Government service accepts an exempt appointment with this Agency without a break in Service, his annual and sick leave record will be transferred and his retirement record card requested. This card will be held in the confidential files and no record of this employment will be posted on the Form 2806.

Later, these employees may return to a classified Civil Service status and claim this service. In order that these employees will not have a break in service with regard to retirement or disability benefits, these confidential records will be made available to an authorized person from the Civil Service Retirement Division.

We would appreciate an early statement from the Commission as to whether this policy meets with their approval.

Very truly yours,

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Acting Director of Personnel

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